

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: David MORTON *et al.*  
Serial No.: 10/571,146  
Filed: March 9, 2006  
For: **DRY POWDER COMPOSITION COMPRISING CO-JET MILLED PARTICLES FOR PULMONARY INHALATION**

MAIL STOP: MISSING PARTS  
Commissioner for Patents  
Alexandria, VA 22313-1450

July 14, 2006

**RESPONSE TO ANTICIPATED NOTIFICATION**  
**OF MISSING REQUIREMENTS**

Sir:

In Anticipation of a Notification of Missing Requirements, enclosed please find the executed Declaration and Power of Attorney form (1 page) signed by the inventors for the above-referenced application.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: \_\_\_\_\_

Cary S. Kappel  
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Mail Stop: Missing Parts  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: David MORTON, et al.  
Serial No.: 10/571,146  
Filed: March 9, 2006  
For: DRY POWDER COMPOSITION COMPRISING CO-JET MILLED PARTICLES FOR  
PULMONARY INHALATION

Sir:

Transmitted herewith is a **Response to Anticipated Notice of Missing Requirements (1 page)** in the above-identified application.

- Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
 Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
 No fee for additional claims is required.  
 A filing fee for additional claims calculated as shown below, is required:

- Also transmitted herewith are:  
 Petition for month extension under 37 C.F.R. 1.136  
 Other: **Executed Declaration and Power of Attorney Document (1 page)**
- Check(s) in the amount of **\$130.00** is/are attached to cover:  
 Filing fee for additional claims under 37 C.F.R. 1.16  
 Petition for month extension under 37 C.F.R. 1.136  
 Other: **Late declaration fee**
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
 Any patent application processing fees under 37 C.F.R. 1.17.  
 Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

07/20/2006 ATRAN1 00000127 10571146

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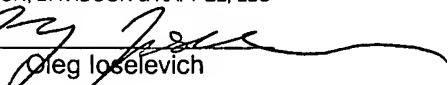
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Mail Stop: Missing Parts; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on July 14, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Oleg Ioselevich